

Message Text

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ACTION ARA-14

INFO OCT-01 EUR-12 ISO-00 IO-13 ARAE-00 SSO-00 NSCE-00

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FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC IMMEDIATE 7743

INFO AMCONSUL BELIZE

AMEMBASSY GUATEMALA

AMEMBASSY LONDON

AMEMBASSY MANAGUA

AMEMBASSY MEXICO

AMEMBASSY PANAMA

AMEMBASSY SAN SALVADOR

AMEMBASSY TEGUCIGALPA

CONFIDENTIAL SAN JOSE 2691

E.O. 11652: GDS

TAGS: PGOV, CS

SUBJECT: FACIO'S PROPOSALS TO RESOLVE GUATEMALA-BELIZE PROBLEM

1. SUMMARY. AS PRESIDENT ODUBER AND FONMIN FACIO MENTIONED
IN BILATERAL WITH MRS. CARTER, COSTA RICA HAS A FORMULA TO
RESOLVE BELIZE QUESTION (1A) UK DISSOLVES "COLONY OF BELIZE"
(B) GUATEMALA ACCEPTS BELIZE'S RIGHT OF SELF-DETERMINATION
AND CEDES TO THE NEW STATE MOST OF THE TERRITORY WHICH IS
NOW BELIZE (C) SIMULTANEOUSLY, A BELIZE-GUATEMALA BORDER
DELIMITATION TREATY IS SIGNED UNDER WHICH TERRITORY BETWEEN
MONKEY AND SARSTUN RIVERS IS NEEINCORPORATED INTO GUATEMALA.
RATIONALE FOR THIS IS THAT MOST INHABITANTS OF THAT AREA
ARE QUICHE INDIANS WHO DO NOT WANT TO BE PART OF AN
INDEPENDENT BELIZE. FACIO MAY WANT TO RAISE HIS
PROPOSAL WITH SECRETARY DURING JUNE 14 BILATERAL.

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2. AS PRESIDENT ODUBER PROMISED DURING BILATERAL WITH
MRS. CARTER MAY 31, FONMIN FACIO HAS PROVIDED US WITH
GOCR PROPOSAL PREPARED BY FACIO TO RESOLVE BELIZE CON-
FLICT. FACIO IS BOUND TO MENTION HIS PROPOSAL DURING
JUNE 14 BILATERAL WITH SECRETARY AT GRENADA; THIS MESSAGE
PROVIDES RESUME.

3. IN INIMITABLE FACIO STYLE, MEMORANDUM ERUDITELY SUMMARIZES HISTORICAL AND JURIDICAL BACKGROUND OF BELIZE ISSUE STARTING WITH TREATY OF ULTRECHT AND GOING THROUGH TREATY OF PARIS OF 17 ..# TREATY OF VERSAILLES OF 1783, 1786 LONDON CONVENTION, MONROE DOCTRINE, CLAYTON-BULWER TREATY, DALLAS-CLARENCE TREATY, AND 1859 TREATY BETWEEN GUATEMALA AND GREAT BRITAIN. HE THEN REVIEWS GUATEMALAN THESIS THAT BRITISH NON-COMPLIANCE WITH TERMS OF 1859 TREATY LEGITIMIZED GUATEMALAN UNILATERAL ABROGATION OF THAT TREATY THUS RE-ESTABLISHING GUATEMALAN SOVEREIGNTY OVER BELIZE. FACIO SAYS THIS THESIS MAY BE ARGUABLE BUT IT IS NOT ABSURD AND DOES HAVE SOME VALIDITY.

4. WHATEVER JURIDICAL VALIDITY THIS THESIS MAY HAVE, FACIO SAYS, B CANNOT OBSCURE THE FACT THAT BELIZE TODAY HAS A POPULATION THAT IDENTIFIES ITSELF AS BELIZEAN, THAT SPEAKS A DIFFERENT LANGUAGE, HAS JURIDICAL INSTITUTIONS AND POLI-

TICAL TRADITIONS WHICH DIFFER FUNDAMENTALLY FROM GUATEMALA'S AND WHICH ABOVE ALL CONSTITUTES A SOCIAL CONGLOMERATE THAT WANTS TO BE BELIZEAN AND NOT GUATEMALAN. FOR THIS REASON SOLUTION TO BELIZE CONFLICT CANNOT BE FOUND IN JURIDICAL ARGUMENTS; MOUT IMPORTANT CONSIDERATION IS RIGHT OF SELF-DETERMINATION AND HOW IT IS EXERCISED.

5. FACIO CONCEDES THAT SINCE BRITISH HAVE BEEN COLONIAL POWER IN BELIZE, BELIZEANS COULD EXERCISE RIGHT OF SELF-DETERMINATION VIS-A-VIS THE BRITISH (BUT BRITISH COULD CONFIDENTIAL

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NOT GRANT INDEPENDENCE BECAUSE THEY LACK CLEAR SOVEREIGNTY). TO DO SO, HOWEVER, WOULD BE THE EQUIVALENT OF DISMEMBERING THE GUATEMALAN STATE WHOSE TERRITORY HAS BEEN USURPED BY THE BRITISH. HE ALSO ARGUES THAT NOT ALL INHABITANTS WITHIN THE LIMITS OF PRESENT-DAY BELIZE ARE BELIZEAN OR WANT TO BE PART OF AN INDEPENDENT BELIZE. HE ASSERTS THAT SOUTH OF MONKEY RIVER THE MAJORITY OF THE INHABITANTS ARE QUICHE INDIANS WHO DO NOT IDENTIFY THEMSELVES AS BELIZEANS.

6. FACIO'S SOLUTION:
(A) THAT GREAT BRITAIN "DISSOLVE THE COLONY OF BELIZE";
(B) THAT SIMULTANEOUSLY, GUATEMALA, "ACCEPTING THE RIGHT OF SELF-DETERMINATION OF THE BELIZE POPULATION, RECOGNIZE ITS INDEPENDENCE, GENEROUSLY CEDING TO THEM THE TERRITORY THAT THEY EFFECTIVELY OCCUPY, WHICH COMPRISSES THE MAJOR PART, BUT NOT ALL, OF THE TERRITORY COMPRISED IN THE LIMITS OF THE 1859 TREATY;"
(C) THAT AT THE SAME TIME A TREATY FIXING THE BORDERS BETWEEN GUATEMALA AND THE NEW STATE OF BELIZE

BE SIGNED. LINES WOULD BE SET SO THAT GUATEMALA WOULD REINCORPORATE THAT PART OF TERRITORY BETWEEN THE MONKEY AND THE SARSTUN RIVERS, WHICH IS INHABITED LARGELY BY QUICHE INDIANS AND OTHER GUATEMALAN NATIONALS.

7. FACIO CONCLUDES: "JUST AS THE RIGHT OF SELF-DETERMINATION OF THE BELIZE POPULATION SHOULD BE RECOGNIZED, SO ALSO SHOULD THE SAME RIGHT BE RECOGNIZED FOR THE GUATEMALAN NATIONALS WHO INHABIT THE ZONE...SOUTH OF THE MONKEY RIVER."

8. EMBASSY POUCHING FACIO'S STUDY TO
DEPARTMENT (ARA/CEN).

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